

09-8-04

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2188
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

Donald C. Englin et al.

Serial No.: 09/651,597

Examiner: P. Vital

Filing Date: August 30, 2000

Group Art Unit: 2188

For: METHOD FOR AVOIDING DELAYS DURING SNOOP REQUESTS

Docket No.: 33012/290/101

REQUEST FOR CONTINUED EXAMINATION TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

CERTIFICATE UNDER 37 C.F.R. 1.10: The undersigned hereby certifies that this paper is being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of: EV 332 555 150 US, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this 7th day of September, 2004.

By _____
Carolyn I. Erickson

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
 - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____.
 - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
 - iii. ☐ Other
- b. ☒ Enclosed
 - i. ☒ Preliminary Amendment
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☐ Other

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for

09/09/2004 WABDELRI 00000010 09651597

770-00 OP
172-00 OP
90-00 OP01 FE-1801
02-FC-1801
03-FC-1202

a period of _____ months.

b. ☐ Other

3. **Fees**

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 14-0620.

i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☐ Extension of time fee

iii. ☐ Other: Additional Independent Claim

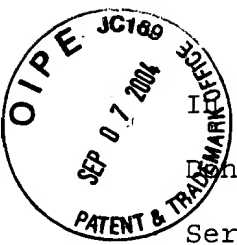
b. ☒ Check in the amount of \$ 1,142.00 enclosed

By: _____

Wayne A. Sivertson

Reg. No. 25,645

NAWROCKI, ROONEY & SIVERTSON, P.A.
Suite 401, Broadway Place East
3433 Broadway Street N.E.
Minneapolis, Minnesota 55413
Telephone: (612) 331-1464
Facsimile: (612) 331-2239



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

Donald C. Englin et al.

Serial No.: 09/651,597

Examiner: P. Vital

Filing Date: August 30, 2000

Group Art Unit: 2188

For: METHOD FOR AVOIDING DELAYS DURING SNOOP REQUESTS

Docket No.: 33012/290/101

**REQUEST FOR CONTINUED EXAMINATION (RCE)
(37 C.F.R. 1.114)**

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. § 1.114, for the above identified application.

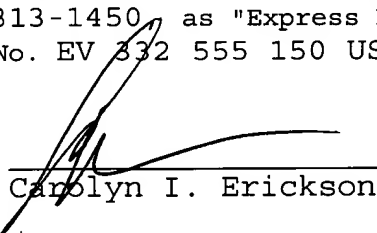
CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, as "Express Mail Post Office to Addressee" Mailing Label No. EV 332 555 150 US

9-7-04


Carolyn I. Erickson

TIME REQUEST IS BEING MADE

2. This request is being submitted (check appropriate item(s) below):
 - i. ☒ Prior to abandonment of the application
 - ii. ☐ Payment of the issue fee
☐ Prior to payment of issue fee

09/09/2004 WABDELRI 00000010 09651597

770.00 DP
172.00 DP
90.00 DP

01 FC:1801
02 FC:1201
03 FC:1202

09/09/2004 WABDELRI 00000010 09651597

110.00 DP

04 FC:1251

☐ Issue fee has been paid but a petition under § 1.313 has been granted

iii. ☐ Prior to a decision on appeal to the Board of Patent Appeals & Interferences

☐ A notice is being separately sent to the Board of Patent Appeals & Interferences that this request for Continued Examination is being filed.

iv. ☐ Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 145 or

☐ Commencement of a civil action under 35 U.S.C. 146

☐ Prior to the filing of such appeal or commencement of civil action

☐ Such appeal or commencement of civil action has been terminated

ENCLOSURES

3. Enclosed herewith is/are:

☐ An information disclosure (37 C.F.R. § 1.98)

☐ Form PTO-1449 (PTO/SB/08A and 08B)

☒ A Preliminary Amendment

☐ New arguments

☐ New evidence in support of patentability

☐ Other:

FEE FOR REQUEST (37 C.F.R. § 1.17(e))

4. This application is on behalf of:

☐ Small entity (and status is still as small entity)
\$385.00

☒ Other than a small entity
\$770.00

5. The fee for claims (37 C.F.R. § 1.16(b) - (d)) has been calculated as shown below:

| CLAIMS AS FILED | | | | | | |
|--|---------|---------|--------------|-------|------------|-------|
| | (1) | (2) | SMALL ENTITY | | OTHER | |
| FOR: | # FILED | # EXTRA | Rate | Fee | Rate | Fee |
| BASIC FEE | | | | \$385 | | \$770 |
| TOTAL CLAIMS | 25-20 = | 5 | x9= | \$ | x18= | \$ 90 |
| INDEPENDENT CLAIMS | 5 -3 = | 2 | x43= | \$ | x86= | \$172 |
| () MULTIPLE DEPENDENT CLAIM PRESENTED | | | +145= | \$ | +290= | \$ |
| TOTAL | | | \$ | | \$1,032.00 | |

(complete (c) or (d), as applicable)

(c) ☐ No additional fee is required.

OR

(d) ☒ Total additional fee required is \$ 262.00.

EXTENSION OF TIME

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

(a) ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for the total number of months checked below:

| Extension for (months) | Fee for other than <u>small entity</u> | Fee for small <u>entity</u> |
|---|---|--------------------------------|
| <input checked="" type="checkbox"/> one month | \$110.00 | \$55.00 |
| <input type="checkbox"/> two months | \$420.00 | \$210.00 |
| <input type="checkbox"/> three months | \$950.00 | \$475.00 |
| <input type="checkbox"/> four months | \$1,480.00 | \$740.00 |

Fee: \$ 110.00

If an additional extension of time is required, please consider this petition therefor.

(check and complete the next item, if applicable)

☐ An extension for _____ months has already been secured, and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now

requested.

Extension fee due with this request \$ 110.00

OR

- (b) ☐ Applicant(s) believe(s) that no extension of time is required. However, this is a conditional petition and authorization to pay the necessary fees to provide for the possibility that Applicant(s) has/have inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE(S) DUE

7. The total fee(s) due is/are:

| | |
|--|------------------|
| Continued Prosecution Fee (§ 1.17(e)) | \$ <u>770.00</u> |
| Fee(s) for additional claims (if any) (§ 1.16(b) - (d)) | \$ <u>262.00</u> |
| Extension of time fee (if any) (§ 1.17(a)(1) - (4)) | \$ <u>110.00</u> |

Total Fee(s) Due \$ 1,142.00

PAYMENT OF FEE(S) DUE

8. Please pay the fee(s) for this continued examination application as follows:

- ☒ Check is attached for the sum of \$ 1,142.00
- ☐ Charge Account 14-0620 the sum of \$ _____
- ☒ Please charge any deficiencies or credit any over payment to Deposit Account 14-0620.

INVENTORSHIP

9. This application as amended names as inventors:

- ☒ the same inventors as previously designated for the claims.
- ☐ fewer than the inventors previously designated and a statement accompanies this request for the deletion of the name or names of the person or persons who are not inventors of the invention now being claimed.
- ☐ a person not named previously as an inventor and a petition under 37 C.F.R. § 1.48 is/has separately:
☐ being filed

☐ been filed

DEFERRAL OF EXAMINATION

10. ☐ A request for deferral of examination accompanies this request for continued examination.

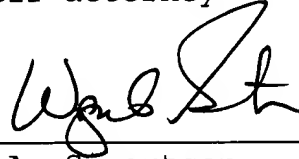
Respectfully submitted,

Donald C. Englin et al.

By their attorney

Date

Sept 7, 2004



Wayne A. Sivertson
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NAWROCKI, ROONEY & SIVERTSON, P.A.
Suite 401, Broadway Place East
3433 Broadway St. N.E.
Minneapolis, MN 55413
(612) 331-1464



P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|--------------------------|---|------------------------------|
| In re application of |) | |
| |) | |
| Donald C. Englin et al. |) | Examiner P. Vital |
| |) | |
| Serial No. 09/651,597 |) | Group Art Unit 2188 |
| |) | |
| Filing Date: 08/30/00 |) | |
| |) | Docket No. 33012/290/101 |
| |) | |
| For: METHOD FOR AVOIDING |) | <u>PRELIMINARY AMENDMENT</u> |
| DELAYS DURING SNOOP |) | |
| REQUESTS |) | |

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Box 1450
Alexandria, VA 22313-1450

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By [Signature]
Carolyn I. Erickson